

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TERRY GEXLER
Plaintiff

v.

UNITED PARCEL SERVICE, INC.
Defendant

Civil Action No. # 04-12305RGS

MOTION TO EXTEND TIME TO FILE
SUMMARY JUDGMENT MOTION

United Parcel Service Inc. ("UPS") requests that the deadline for filing its Motion for Summary Judgment be extended for thirty (30) days until October 31, 2005. The grounds for this motion are that the deposition of the Plaintiff's physician had to be rescheduled to late September. In addition, the physical examination of the Plaintiff pursuant to Fed. R. Civ. P. 35 is scheduled for September as well. The deposition testimony and the results of the Rule 35 examination will determine the scope of UPS' summary judgment motion.

The Plaintiff, Terry Gexler, does not oppose this motion.

Certificate of Service
I hereby certify that on this day
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record for each party by mail/by hand.
Date: 9/8/05 CLAK

United Parcel Service Inc.
By its attorneys

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Date: September 8, 2005